

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
January 28, 2014**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, January 28, 2014 at 7:00 p.m. in regular session with Mayor Phillip Burch presiding, and the following present to wit:

Jose Luis Aguilar	Raul Rodriguez
Kent Bratcher	Bill Rogers
Manuel Madrid Jr.	Jeff Youtsey

The following were absent:

Terry Hill
Nora Sanchez

Also present:

Aubrey Hobson, City Clerk-Treasurer
John Caraway, City Attorney

It was determined that a quorum was present. The invocation was given by Councilor Rodriguez, and all joined in the Pledge of Allegiance.

New Requests for City Facilities

Wendell Lovelis, representing the Artesia Radio Control Club, requested the use of Jaycee Park on February 7-9th from 9:00 a.m. to 6:00 p.m. for a Helicopter Fun Fly. Councilor Aguilar moved to approve the request of the Artesia Radio Control Club for the use on Jaycee Park on February 7-9th, contingent upon proof of insurance. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Consent Agenda

Councilor Rodriguez moved to approve the consent agenda as written. The motion was seconded by Councilor Madrid and upon vote, the motion passed.

The Consent Agenda includes:

1. Approval of Minutes: *January 14, 2014
2. Consideration of Bids:
3. Contracts, Leases and Agreements:
4. Appointments:
 - A. Approval of appointment of Rebecca Prendergast to the Artesia Public Library Board (*term to expire June 2014*)
 - B. Approval of the reappointment of Sharon Snowden to the Woodbine Cemetery Board (*term to expire January 2016*)
 - C. Approval of the reappointment of Lynn Atteberry to the Woodbine Cemetery Board (*term to expire January 2016*)
 - D. Approval of the reappointment of Evolyn Terpening to the Woodbine Cemetery Board (*term to expire January 2016*)

5. Resignations:
 - A. Accept the resignation of Kelvin Stokes, Water Technician, effective December 26, 2013
 - B. Accept the resignation of Nathan Cobb, Street Department Equipment Operator, effective January 30, 2014
6. Dates of Hearing:
 - A. Permission to set a public hearing for February 25, 2014 to consider an ordinance approving a Public Participation Agreement with Sterling Management
7. *Travel and Training:
 - A. Wastewater – Ratification of Mayor Burch's approval for one (1) employee to attend the NM Water and Wastewater Association's Annual Short School in Las Cruces, NM. Request actual expenses
 - B. Fire – Permission for two (2) employees to attend the Annual National Fire Protection Association Conference & Expo in Las Vegas, NV. Request actual expenses
 - C. Fire – Permission for one (1) employee to attend the Instructor Development workshop in Socorro, NM. Request actual expenses
 - D. Museum – Permission for one (1) employee to attend the NM Association of Museums/TX Association of Museums joint annual conference in Lubbock, TX. Request actual expenses
 - E. Fire – Permission for one (1) employee to attend the Strategic Organizational Issues in Fire & EMS course in Emmitsburg, MD. Request actual expenses (*airfare is reimbursable*)
 - F. Police – Permission for one (1) employee to attend the National Summit on Preventing Multiple Casualty Violence. Request actual expenses (*meals are the only cost*)
 - G. Police – Ratification of Mayor Burch's approval for one (1) employee to attend the Crisis Response/Train the Trainer course in Albuquerque, NM. Request actual expenses
 - H. Wastewater – Permission for one (1) employee to travel to Littleton, Englewood and Colorado Springs, CO for a Technical Assistance tour and training of WW Treatment Processes. Request actual expenses
 - I. F&A – Permission for five (5) employees to attend the INCODE Annual conference in San Antonio, TX. Request actual expenses
 - J. Legislative – Ratification of Mayor Burch's approval for Councilor Aguilar to attend a Colonias workshop in Santa Fe, NM. Request actual expenses and mileage
8. Use of Facilities (*approval contingent upon receipt of all applicable fees, license(s) and dept approvals*):
9. Routine Requests for City Facilities
10. Budgeted Items:
 - A. *Approval of Lodger's Tax Requests
 - 1) The New Artesia Public Library Grand Opening Events and Marketing -- \$25,000
 - 2) AHS Baseball Invitational -- \$4,200
 - 3) Leadership New Mexico Conference -- \$2,500
 - 4) Main Event Car Show & Cruise -- \$6,000
 - 5) AHS Ladydog Invitational -- \$4,200
 - 6) Wet & Wild Run and Ride -- \$4,500
 - 7) Fourth of July Fun Run -- \$2,500
 - 8) Kickin' It Under the Lights -- \$2,000
 - 9) Eddy County Fair & Rodeo -- \$11,700
 - 10) AHS Rodeo Invitational -- \$4,100
 - 11) NM MESA -- \$10,000
 - 12) Swap Meet & Car Corral -- \$1,200
 - 13) AHS Basketball Classic -- \$7,200Total amount = up to \$85,100
11. Non-budgeted Items:
 - A. Trade in of backhoe for new backhoe with Titan Machinery (*no budget increase*)
12. *Payment of Bills

Public Hearings

Mayor Burch declared the meeting open for public hearing for the following:

1. Consideration and approval of zoning code variance for First United Methodist Church located at 500 W. Grand Avenue, in Section 17, T17S, R26E.

Community Development Director Tina Torres reported that the Methodist Church is planning to demolish the existing Fellowship hall and build a replacement fellowship hall in the same location. The current building has setbacks of two feet and eight feet from the alley line. Ms. Torres stated that the setback requirements for this zoning would be twenty feet from the alley line, but granting the variance would maintain the existing setback.

Planning and Zoning Commission recommends approval.

No public comment was received.

Councilor Rodriguez moved to approve the setback variance for First United Methodist Church, located at 500 W. Grand. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

Period for Hearing Visitor

Nancy Hussleman, representing the Artesia Drug and Crime Coalition reported on current activities. Ms. Hussleman stated that they have hired a manager for 7024U and the program should be getting underway in the next few months.

Comments from Public Officials and Contracted Services

Economic Development Director Michael Bunt, requested approval for a GAEDC grant to Sterling Managers for \$100,000 for infrastructure expenses for the Good Life Senior Living project. Councilor Rogers moved to approve the GAEDC grant to Sterling Managers for the Good Life Senior Living project. The motion was seconded by Councilor Madrid and upon vote, the motion passed.

Mr. Bunt requested reimbursement for a traffic study to facilitate the construction of the Veterans' Clinic on West Main, a cost of \$8,492. Councilor Bratcher moved to reimburse the Economic Development fund the amount of \$8,492 for the traffic study for the Veterans' Clinic. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Committee Reports**Police and Fire**

Councilor Bratcher requested the inclusion of the Faro Laser system for the Police Department in the mid-year budget, at cost of approximately \$78,500. Staff was directed to include this item in the mid-year budget requests.

Personnel

Councilor Rodriguez, upon recommendation of the Mayor, and subject to successful completion of required pre-employment testing, moved to hire Andrew Sena to the position of Certified Firefighter EMT-I, at a salary of \$3,363 per month (CA23). The motion was seconded by Councilor Rogers and upon vote, the motion passed.

Councilor Rodriguez, upon recommendation of the Mayor, and subject to successful completion of required pre-employment testing, moved to hire Lucas Davis to the position of Un-certified Firefighter, at a salary of \$2,422 per month (CA21). The motion was seconded by Councilor Madrid and upon vote, the motion passed.

Councilor Rogers, upon recommendation of the Mayor, and subject to successful completion of required pre-employment testing, moved to hire Kirk Roberts to the position of Police Corporal, at a salary of \$4,295 per month (CA31). The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Councilor Rodriguez, upon recommendation of the Mayor, and subject to successful completion of required pre-employment testing, moved to hire Phillip Acosta to the position of Cemetery Equipment Operator I, at a salary of \$1,892 per month (CA11). The motion was seconded by Councilor Madrid and upon vote, the motion passed.

Councilor Madrid, upon recommendation of the Mayor, and subject to successful completion of required pre-employment testing, moved to promote Patsy Hernandez to the position of Wastewater Lead Operator, at a salary of \$4,098 per month (CA29). The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

Councilor Aguilar, upon recommendation of the Mayor, and subject to successful completion of required pre-employment testing, moved to promote Leticia Gomez to the position of Police Clerk II, at a salary of \$2,401 per month (CA17). The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

Community Development

Code Enforcement Officer Cheryl Hinkle requested a resolution of condemnation for the structure at 611 S. Roselawn. Ms. Hinkle reported that there have been some challenges in contacting the owners and that the property has become a hazard for the neighborhood. Ms. Hinkle also reported that Mr. Rodney Shaw contacted her office yesterday and is interested in purchasing and renovating the property, and as a result, recommends giving him a 45 day grace period to purchase the property.

Councilor Aguilar moved to approve the resolution of condemnation for 611 S. Roselawn, but the provide a 60 –day extention to allow the potential purchase and begin renovation. The motion was seconded by Councilor Youtsey. The motion and second were withdrawn.

Councilor Bratcher moved to postpone consideration of condemnation of 611 S. Roselawn for 60 days to allow Rodney Shaw time to purchase and begin renovation. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Discussion took place regarding the status of 611 W. Mahone (the office complex where the Municipal Court was located). Ms. Hinkle reported that repairs have been made, however, the contractor did not request inspections, so a certificate of occupancy cannot be obtained at this time. Mayor Burch requested that the city attorney and the code enforcement officer review the file and determine whether the city should proceed with demolition of the structure.

Infrastructure

Mr. Landfair reported on the status of projects.

City Clerk

Councilor Rodriguez moved to accept the 2012-2013 audit report. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

Councilor Rogers moved to approve the fixed assets list for 2012-2013. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Councilor Bratcher moved to approve the donation of library furniture and fixtures to

Bosque Farms Public Library	Village of Hope
Carlsbad Public Library	Village of Magdalena
Village of Cloudcroft	Rio Arriba County
Town of Hagerman	City of Lovington

The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Councilor Bratcher moved to adopt a budget adjustment resolution, Resolution No. 1528. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

RESOLUTION NO. 1528

Councilor Rodriguez moved to approve the list of precinct workers and approval of payment for the March 4, 2014 municipal election. The motion was seconded by Councilor Youtsey and upon vote, the motion passed.

Mayor

Councilor Bratcher moved that in accordance with 10-15-1-H(2) and (8), the Council and Mayor go into executive session regarding limited personnel matters and purchase of real property. The motion was seconded by Councilor Rodriguez and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Madrid, Rodriguez, Rogers, Youtsey

Nay: none

the motion passed.

Mayor Burch declared a short recess at 8:38 p.m.
Council recessed to executive session at 8:42 p.m.
Council reconvened at 9:25 p.m.

Councilor Rodriguez moved that the only items discussed in executive session pertained to limited personnel matters and purchase of real property and that no action was taken. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

New and other business from Councilors

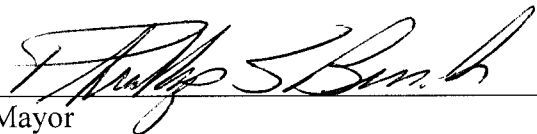
Councilor Youtsey presented information about the "My Neighborhood Project", based on the project conducted by the City of Seattle. The Seattle program includes many projects, such as small grant programs for neighborhoods. Councilor Youtsey requested that the council consider implementing a similar program.

Mayor Burch directed the City Clerk staff to research state laws and ordinances to identify any that might help or hinder this project.

Councilor Aguilar recommended that Councilor Youtsey head up the committee for this project.

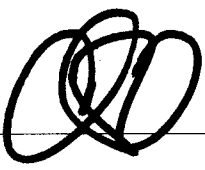
Mayor Burch extended condolences to the Economides family on the death of Floyd "Greek" Economides.

There being no further business to come before the Council, the meeting adjourned at 10:00 p.m. January 28, 2014.



Mayor

ATTEST:



City Clerk